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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

IN RE CHRYSLER-DODGE-JEEP  
ECODIESEL MARKETING, SALES  
PRACTICES, AND PRODUCTS  
LIABILITY LITIGATION

Case No. 3:17-md-02777-EMC

**JOINT STATEMENT REGARDING  
PLAINTIFFS' ADMINISTRATIVE  
MOTION FOR LEAVE TO FILE UNDER  
SEAL PORTIONS OF THE SECOND  
AMENDED CONSOLIDATED  
CONSUMER CLASS ACTION  
COMPLAINT**

The Honorable Edward M. Chen

1           The Plaintiffs' Steering Committee, on behalf of the consumer plaintiffs (the  
 2 "Plaintiffs"), Defendants Fiat Chrysler Automobiles N.V., FCA US LLC, Sergio Marchionne,  
 3 V.M. Motori S.p.A., and V.M. North America, Inc. (collectively, the "FCA Defendants"), and  
 4 Defendants Robert Bosch GmbH or Robert Bosch LLC (the "Bosch Defendants," together with  
 5 the FCA Defendants, "Defendants," and Defendants and Plaintiffs together, the "Parties")  
 6 respectfully submit this statement pursuant to the Court's Order of May 1, 2018 (ECF No. 306).

7           On April 23, 2018, the Plaintiffs filed an administrative motion (ECF No. 303) for  
 8 leave to file under seal portions of their Second Amended Consolidated Consumer Class Action  
 9 Complaint (the "Complaint"). Pursuant to Local Rule 79-5, the FCA Defendants submitted a  
 10 declaration in support of the administrative motion (ECF No. 305), which sought to redact the  
 11 names and titles of the nonparty employees of the FCA Defendants. The Complaint does not  
 12 include names or titles of the nonparty employees of the Bosch Defendants, other than Robert  
 13 Bosch GmbH's CEO, and the Bosch Defendants did not, therefore, submit a separate declaration  
 14 in support of the administrative motion. On May 1, 2018, the Court directed the Parties "to  
 15 further meet and confer" to determine whether any portion of the Complaint should remain under  
 16 seal and, "[i]f the parties agree that no information needs to be filed under seal, then they may  
 17 submit a statement to the Court certifying such." (ECF No. 306 at 2.)

18           In accordance with the Court's May 1, 2018 Order, the Parties have met and  
 19 conferred and respectfully submit this joint statement to advise the Court that the Parties agree  
 20 that the Complaint does not need to be filed under seal. The Parties confirm that the documents  
 21 cited, quoted, or summarized in the Complaint (as opposed to the excerpts quoted or otherwise  
 22 referenced in the Complaint) retain their designations as "Confidential" or "Highly Confidential,"  
 23 as the case may be, pursuant to Pretrial Order No. 10: Stipulated Protective Order. (ECF  
 24 No. 212.) Defendants accordingly reserve the right to seek the appropriate protections with  
 25 respect to future court filings. *See Welle v. Provident Life & Accident Ins. Co.*, 2013 WL  
 26 6055369, at \*1 (N.D. Cal. Nov. 14, 2013) (Westmore, J.) (recognizing the difference between  
 27 "judicial documents" and "discovery documents," and holding that "[b]ecause sealed discovery  
 28 documents attached to a non-dispositive motion 'are often unrelated or only tangentially related to

1 the underlying cause of action,' the usual presumption of access is rebutted." (quoting *Phillips v.*  
2 *Gen. Motors Corp.*, 307 F.3d 1206, 1213 (9th Cir. 2002))).

3 Dated: May 15, 2018

Respectfully submitted,

4 SULLIVAN & CROMWELL LLP

5 By: /s/ William B. Monahan  
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15 Dated: May 15, 2018

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on May 15, 2018, a true and correct copy of the foregoing was electronically filed and served electronically via the Court's CM/ECF system, which will automatically serve notice to all registered counsel of record.

/s/ William B. Monahan  
William B. Monahan